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#9/Reconsideration
S. Ellis
RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP NO.: 3623

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

12/11/03

In re the Application of:

TIDWELL ET AL.

Serial No.: 09/604,316

Filed: June 27, 2000

For: TROUBLE TRACKING SYSTEM
AND METHOD

Art Unit: 3623

Examiner: Stimpak, Johnna

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
DEC 08 2003
GROUP 3600

Sir:

Applicants respectfully request reconsideration of the final rejection set forth in the Office Action mailed September 3, 2003. For the reasons set forth below, applicants respectfully submit that all claims in this application are in condition for allowance.

In the Final Office Action mailed September 3, 2003 claims 1-5, 7, 9, 11-13, 17-19, 21-24, 29-32, 36, 38, 39, 42-45 and 46-49 were rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al., U.S. Patent No. 6,219,648 B1, in view of an article regarding Peregrine's MELBA application ("MELBA"). The remaining claims were rejected under 35 U.S.C. §103(a) as unpatentable over Jones et al. in view of MELBA and further in view of Kidder et al., U.S. Patent No. 6,445,774 B1. These grounds of rejection are respectfully traversed for the following reasons.

The present invention is directed to a unique trouble tracking system. As explained in the Amendment filed June 23, 2003, a significant aspect of the present invention is the use of an outsourced entity to act on and resolve trouble tickets that have been entered into a trouble ticket database. Due to economics it has been determined that it is sometimes more preferable to outsource certain functions historically undertaken by a single business entity. In this regard, applicants acknowledge that the MELBA reference cited by the Examiner discloses features similar to those embodied in the present invention. However, there is at least one feature recited in the claims that the combination of Jones et al. and MELBA fails to disclose or to suggest. Indeed, this particular feature is not expressly addressed in the Office Action.

Referring, for example, to pending claim 1, the presently claimed invention requires that a database is provided that stores a plurality of trouble tickets and that there is a means for communicating with and sharing trouble ticket data with an organization that operates under outside contract. The organization assigns its own tracking number to a given trouble ticket, and the tracking number is stored in the database of the trouble tracking system. Further, claim 1 recites that the database stores information relating to whether a resolution of a trouble ticket, proposed by outsourced personnel who work for the contract organization, has been verified. This feature of the present invention is described in detail with respect to Figures 8A-8C, in which a resolution to a trouble ticket initially proposed by outsourced personnel, is verified. In other words, this aspect of the present invention provides the ability for the ultimately responsible business entity to monitor and, in fact, verify that the outsourced personnel are performing in accordance with how the ultimately responsible business entity expects.

The MELBA reference fails to disclose anything having to do with verifying the resolutions proposed by outsourced personnel. The MELBA reference simply describes how the system "will also update all the cooperating systems with new information that becomes available during work on open incidents, in addition to monitoring and reporting on status until the incidents are resolved." While that statement indicates that there is significant data sharing among the parties, that statement fails completely to disclose or even to suggest a step of verifying whether a proposed resolution is acceptable.

Since Jones et al. and MELBA taken singly or in combination fail to disclose each and every feature of the presently claimed invention as recited in each of the independent claims, and the Kidder reference fails to overcome the deficiencies of Jones et al. and MELBA, Applicants respectfully submit that all claims in this case are patentably distinct from those references.

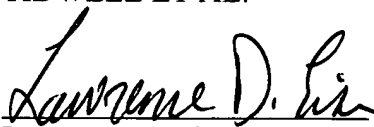
In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

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Date: December 2, 2003

Respectfully submitted,

TIDWELL ET AL.

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